

HOUSE BILL No. 1413

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-3-3-10; IC 22-3-3-22.

Synopsis: Worker's compensation benefits. Increases the compensation benefits per degree of permanent partial impairment for worker's compensation through 2002. Provides increases in the worker's compensation average weekly wage through 2001.

Effective: July 1, 1999.

Liggett, Cheney

January 12, 1999, read first time and referred to Committee on Labor and Employment.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1413

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-3-3-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) With respect to
3 injuries in the following schedule occurring prior to April 1, 1951, the
4 employee shall receive in addition to temporary total disability benefits
5 not exceeding twenty-six (26) weeks on account of the injuries, a
6 weekly compensation of fifty-five percent (55%) of the employee's
7 average weekly wages. With respect to injuries in the following
8 schedule occurring on and after April 1, 1951, and prior to July 1,
9 1971, the employee shall receive in addition to temporary total
10 disability benefits not exceeding twenty-six (26) weeks on account of
11 the injuries, a weekly compensation of sixty percent (60%) of the
12 employee's average weekly wages. With respect to injuries in the
13 following schedule occurring on and after July 1, 1971, and before July
14 1, 1977, the employee shall receive in addition to temporary total
15 disability benefits not exceeding twenty-six (26) weeks on account of
16 the injuries, a weekly compensation of sixty percent (60%) of the
17 employee's average weekly wages not to exceed one hundred dollars

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IN 1413—LS 6785/DI 94+



(100) average weekly wages, for the periods stated for the injuries. With respect to injuries in the following schedule occurring on and after July 1, 1977, and before July 1, 1979, the employee shall receive, in addition to temporary total disability benefits not exceeding twenty-six (26) weeks on account of the injury, a weekly compensation of sixty percent (60%) of his average weekly wages, not to exceed one hundred twenty-five dollars (\$125) average weekly wages, for the period stated for the injury. With respect to injuries in the following schedule occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not to exceed fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars (\$125) average weekly wages, for the period stated for the injury. With respect to injuries in the following schedule occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars (\$166) average weekly wages, for the period stated for the injury.

With respect to injuries in the following schedule occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars (\$183) average weekly wages, for the period stated for the injury.

With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars (\$200) average weekly wages, for the period stated for the injury.

(1) Amputation: For the loss by separation of the thumb, sixty (60) weeks, of the index finger forty (40) weeks, of the second finger thirty-five (35) weeks, of the third or ring finger thirty (30) weeks, of the fourth or little finger twenty (20) weeks, of the hand by separation below the elbow joint two hundred (200) weeks, or the arm above the elbow two hundred fifty (250) weeks, of the big toe sixty (60) weeks, of the second toe thirty (30) weeks, of the



third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks, of the fifth or little toe ten (10) weeks, and for loss occurring before April 1, 1959, by separation of the foot below the knee joint one hundred fifty (150) weeks and of the leg above the knee joint two hundred (200) weeks; for loss occurring on and after April 1, 1959, by separation of the foot below the knee joint, one hundred seventy-five (175) weeks and of the leg above the knee joint two hundred twenty-five (225) weeks. The loss of more than one (1) phalange of a thumb or toes shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) the period for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger, shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) For the loss by separation of both hands or both feet or the total sight of both eyes, or any two (2) such losses in the same accident, five hundred (500) weeks.

(3) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred seventy-five (175) weeks.

(4) For the permanent and complete loss of hearing in one (1) ear, seventy-five (75) weeks, and in both ears, two hundred (200) weeks.

(5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of both testicles, one hundred fifty (150) weeks.

(b) With respect to injuries in the following schedule occurring prior to April 1, 1951, the employee shall receive in lieu of all other compensation on account of the injuries, a weekly compensation of fifty-five percent (55%) of the employee's average weekly wages. With respect to injuries in the following schedule occurring on and after April 1, 1951, and prior to April 1, 1955, the employee shall receive in lieu of all other compensation on account of the injuries a weekly compensation of sixty percent (60%) of the employee's average weekly wages. With respect to injuries in the following schedule occurring on



1 and after April 1, 1955, and prior to July 1, 1971, the employee shall
2 receive in addition to temporary total disability benefits not exceeding
3 twenty-six (26) weeks on account of the injuries, a weekly
4 compensation of sixty percent (60%) of the employee's average weekly
5 wages. With respect to injuries in the following schedule occurring on
6 and after July 1, 1971, and before July 1, 1977, the employee shall
7 receive in addition to temporary total disability benefits not exceeding
8 twenty-six (26) weeks on account of the injuries, a weekly
9 compensation of sixty percent (60%) of the employee's average weekly
10 wages, not to exceed one hundred dollars (\$100) average weekly
11 wages, for the period stated for such injuries respectively. With respect
12 to injuries in the following schedule occurring on and after July 1,
13 1977, and before July 1, 1979, the employee shall receive, in addition
14 to temporary total disability benefits not exceeding twenty-six (26)
15 weeks on account of the injury, a weekly compensation of sixty percent
16 (60%) of the employee's average weekly wages not to exceed one
17 hundred twenty-five dollars (\$125) average weekly wages, for the
18 period stated for the injury. With respect to injuries in the following
19 schedule occurring on and after July 1, 1979, and before July 1, 1988,
20 the employee shall receive, in addition to temporary total disability
21 benefits not exceeding fifty-two (52) weeks on account of the injury, a
22 weekly compensation of sixty percent (60%) of the employee's average
23 weekly wages not to exceed one hundred twenty-five dollars (\$125)
24 average weekly wages for the period stated for the injury. With respect
25 to injuries in the following schedule occurring on and after July 1,
26 1988, and before July 1, 1989, the employee shall receive, in addition
27 to temporary total disability benefits not exceeding seventy-eight (78)
28 weeks on account of the injury, a weekly compensation of sixty percent
29 (60%) of the employee's average weekly wages, not to exceed one
30 hundred sixty-six dollars (\$166) average weekly wages, for the period
31 stated for the injury.

32 With respect to injuries in the following schedule occurring on and
33 after July 1, 1989, and before July 1, 1990, the employee shall receive,
34 in addition to temporary total disability benefits not exceeding
35 seventy-eight (78) weeks on account of the injury, a weekly
36 compensation of sixty percent (60%) of the employee's average weekly
37 wages, not to exceed one hundred eighty-three dollars (\$183) average
38 weekly wages, for the period stated for the injury.

39 With respect to injuries in the following schedule occurring on and
40 after July 1, 1990, and before July 1, 1991, the employee shall receive,
41 in addition to temporary total disability benefits not exceeding
42 seventy-eight (78) weeks on account of the injury, a weekly

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1 compensation of sixty percent (60%) of the employee's average weekly
 2 wages, not to exceed two hundred dollars (\$200) average weekly
 3 wages, for the period stated for the injury.

4 (1) Loss of use: The total permanent loss of the use of an arm,
 5 hand, thumb, finger, leg, foot, toe, or phalange shall be considered
 6 as the equivalent of the loss by separation of the arm, hand,
 7 thumb, finger, leg, foot, toe, or phalange, and compensation shall
 8 be paid for the same period as for the loss thereof by separation.

9 (2) Partial loss of use: For the permanent partial loss of the use of
 10 an arm, hand, thumb, finger, leg, foot, toe, or phalange,
 11 compensation shall be paid for the proportionate loss of the use of
 12 such arm, hand, thumb, finger, leg, foot, toe, or phalange.

13 (3) For injuries resulting in total permanent disability, five
 14 hundred (500) weeks.

15 (4) For any permanent reduction of the sight of an eye less than a
 16 total loss as specified in subsection (a)(3), compensation shall be
 17 paid for a period proportionate to the degree of such permanent
 18 reduction without correction or glasses. However, when such
 19 permanent reduction without correction or glasses would result in
 20 one hundred percent (100%) loss of vision, but correction or
 21 glasses would result in restoration of vision, then in such event
 22 compensation shall be paid for fifty percent (50%) of such total
 23 loss of vision without glasses, plus an additional amount equal to
 24 the proportionate amount of such reduction with glasses, not to
 25 exceed an additional fifty percent (50%).

26 (5) For any permanent reduction of the hearing of one (1) or both
 27 ears, less than the total loss as specified in subsection (a)(4),
 28 compensation shall be paid for a period proportional to the degree
 29 of such permanent reduction.

30 (6) In all other cases of permanent partial impairment,
 31 compensation proportionate to the degree of such permanent
 32 partial impairment, in the discretion of the worker's compensation
 33 board, not exceeding five hundred (500) weeks.

34 (7) In all cases of permanent disfigurement which may impair the
 35 future usefulness or opportunities of the employee, compensation,
 36 in the discretion of the worker's compensation board, not
 37 exceeding two hundred (200) weeks, except that no compensation
 38 shall be payable under this subdivision where compensation is
 39 payable elsewhere in this section.

40 (c) With respect to injuries in the following schedule occurring on
 41 and after July 1, 1991, the employee shall receive in addition to
 42 temporary total disability benefits, not exceeding one hundred

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twenty-five (125) weeks on account of the injury, compensation in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent ($66 \frac{2}{3}\%$) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the injury occurred.

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; by separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations occurring on or after July 1, 1997: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, the dollar values per degree applying on the date of the injury as described in subsection (d) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half ($1/2$) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third ($1/3$) of the finger and compensation shall be paid for one-third ($1/3$) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half ($1/2$) of the finger and compensation shall be paid for



one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For injuries resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (a)(3), the compensation shall be paid in an amount proportionate to the degree of a permanent reduction without correction or glasses. However, when a permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, then compensation shall be paid for fifty percent (50%) of the total loss of vision without glasses, plus an additional amount equal to the proportionate amount of the reduction with glasses, not to exceed an additional fifty percent (50%).

(12) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (a)(4), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.



(13) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(14) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(d) Compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the injury determined under subsection (c) and the following:

(1) With respect to injuries occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars (\$500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars (\$900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars (\$1,500) per degree.

(2) With respect to injuries occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five hundred dollars (\$500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars (\$800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars (\$1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars (\$1,700) per degree.

(3) With respect to injuries occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars (\$500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars (\$700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars (\$1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars (\$1,400) per degree; for each degree of permanent impairment above fifty (50), one



thousand seven hundred dollars (\$1,700) per degree.

(4) With respect to injuries occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars (\$750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars (\$1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars (\$1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars (\$1,700) per degree.

(5) With respect to injuries occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars (\$750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars (\$1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars (\$1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars (\$1,700) per degree.

(6) With respect to injuries occurring on and after July 1, 1999, **and before July 1, 2000**, for each degree of permanent impairment from one (1) to ten (10), nine hundred dollars (\$900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars (\$1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars (\$1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars (\$2,000) per degree.

(7) With respect to injuries occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), nine hundred fifty dollars (\$950) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand two hundred dollars (\$1,200) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand eight hundred dollars (\$1,800) per degree; for each degree of permanent impairment above fifty (50), two thousand two hundred dollars (\$2,200) per degree.

(8) With respect to injuries occurring on and after July 1, 2001, and before July 1, 2002, for each degree of permanent impairment from one (1) to ten (10), one thousand dollars (\$1,000) per degree; for each degree of permanent

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1 impairment from eleven (11) to thirty-five (35), one thousand
 2 three hundred dollars (\$1,300) per degree; for each degree of
 3 permanent impairment from thirty-six (36) to fifty (50), two
 4 thousand dollars (\$2,000) per degree; for each degree of
 5 permanent impairment above fifty (50), two thousand four
 6 hundred dollars (\$2,400) per degree.

7 (9) With respect to injuries occurring on and after July 1,
 8 2002, for each degree of permanent impairment from one (1)
 9 to ten (10), one thousand fifty dollars (\$1,050) per degree; for
 10 each degree of permanent impairment from eleven (11) to
 11 thirty-five (35), one thousand four hundred dollars (\$1,400)
 12 per degree; for each degree of permanent impairment from
 13 thirty-six (36) to fifty (50), two thousand two hundred dollars
 14 (\$2,200) per degree; for each degree of permanent
 15 impairment above fifty (50), two thousand six hundred dollars
 16 (\$2,600) per degree.

17 (e) The average weekly wages used in the determination of
 18 compensation for permanent partial impairment under subsections (c)
 19 and (d) shall not exceed the following:

20 (1) With respect to injuries occurring on or after July 1, 1991, and
 21 before July 1, 1992, four hundred ninety-two dollars (\$492).

22 (2) With respect to injuries occurring on or after July 1, 1992, and
 23 before July 1, 1993, five hundred forty dollars (\$540).

24 (3) With respect to injuries occurring on or after July 1, 1993, and
 25 before July 1, 1994, five hundred ninety-one dollars (\$591).

26 (4) With respect to injuries occurring on or after July 1, 1994, and
 27 before July 1, 1997, six hundred forty-two dollars (\$642).

28 (5) With respect to injuries occurring on or after July 1, 1997, and
 29 before July 1, 1998, six hundred seventy-two dollars (\$672).

30 (6) With respect to injuries occurring on or after July 1, 1998, and
 31 before July 1, 1999, seven hundred two dollars (\$702).

32 (7) With respect to injuries occurring on or after July 1, 1999, and
 33 before July 1, 2000, seven hundred thirty-two dollars (\$732).

34 (8) With respect to injuries occurring on or after July 1, 2000, and
 35 before July 1, 2001, seven hundred sixty-two dollars (\$762).

36 (9) With respect to injuries occurring on or after July 1, 2001,
 37 and before July 1, 2002, eight hundred seven dollars (\$807).

38 (10) With respect to injuries occurring on or after July 1,
 39 2002, eight hundred forty dollars (\$840).

40 SECTION 2. IC 22-3-3-22 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 22. (a) In computing
 42 the compensation under this law with respect to injuries occurring on



and after April 1, 1963, and prior to April 1, 1965, the average weekly wages shall be considered to be not more than seventy dollars (\$70) nor less than thirty dollars (\$30). In computing the compensation under this law with respect to injuries occurring on and after April 1, 1965, and prior to April 1, 1967, the average weekly wages shall be considered to be not more than seventy-five dollars (\$75) and not less than thirty dollars (\$30). In computing the compensation under this law with respect to injuries occurring on and after April 1, 1967, and prior to April 1, 1969, the average weekly wages shall be considered to be not more than eighty-five dollars (\$85) and not less than thirty-five dollars (\$35). In computing the compensation under this law with respect to injuries occurring on and after April 1, 1969, and prior to July 1, 1971, the average weekly wages shall be considered to be not more than ninety-five dollars (\$95) and not less than thirty-five dollars (\$35). In computing the compensation under this law with respect to injuries occurring on and after July 1, 1971, and prior to July 1, 1974, the average weekly wages shall be considered to be: (A) Not more than: (1) one hundred dollars (\$100) if no dependents; (2) one hundred five dollars (\$105) if one (1) dependent; (3) one hundred ten dollars (\$110) if two (2) dependents; (4) one hundred fifteen dollars (\$115) if three (3) dependents; (5) one hundred twenty dollars (\$120) if four (4) dependents; and (6) one hundred twenty-five dollars (\$125) if five (5) or more dependents; and (B) Not less than thirty-five dollars (\$35). In computing compensation for temporary total disability, temporary partial disability, and total permanent disability under this law with respect to injuries occurring on and after July 1, 1974, and before July 1, 1976, the average weekly wages shall be considered to be (A) not more than one hundred thirty-five dollars (\$135), and (B) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall in no case exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability and total permanent disability under this law with respect to injuries occurring on and after July 1, 1976, and before July 1, 1977, the average weekly wages shall be considered to be (1) not more than one hundred fifty-six dollars (\$156) and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1977, and before July 1, 1979, the average weekly wages are considered to be (1) not more than one hundred eighty dollars (\$180);



and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable may not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1979, and before July 1, 1980, the average weekly wages are considered to be (1) not more than one hundred ninety-five dollars (\$195), and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1980, and before July 1, 1983, the average weekly wages are considered to be (1) not more than two hundred ten dollars (\$210), and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1983, and before July 1, 1984, the average weekly wages are considered to be (1) not more than two hundred thirty-four dollars (\$234) and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1984, and before July 1, 1985, the average weekly wages are considered to be (1) not more than two hundred forty-nine dollars (\$249) and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1985, and before July 1, 1986, the average weekly wages are considered to be (1) not more than two hundred sixty-seven dollars (\$267) and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury. In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1986, and before July 1, 1988, the average weekly wages are considered to be (1) not more than two



1 hundred eighty-five dollars (\$285) and (2) not less than seventy-five
2 dollars (\$75). However, the weekly compensation payable shall not
3 exceed the average weekly wages of the employee at the time of the
4 injury. In computing compensation for temporary total disability,
5 temporary partial disability, and total permanent disability, with respect
6 to injuries occurring on and after July 1, 1988, and before July 1, 1989,
7 the average weekly wages are considered to be (1) not more than three
8 hundred eighty-four dollars (\$384) and (2) not less than seventy-five
9 dollars (\$75). However, the weekly compensation payable shall not
10 exceed the average weekly wages of the employee at the time of the
11 injury.

12 In computing compensation for temporary total disability, temporary
13 partial disability, and total permanent disability, with respect to injuries
14 occurring on and after July 1, 1989, and before July 1, 1990, the
15 average weekly wages are considered to be (1) not more than four
16 hundred eleven dollars (\$411) and (2) not less than seventy-five dollars
17 (\$75). However, the weekly compensation payable shall not exceed the
18 average weekly wages of the employee at the time of the injury.

19 In computing compensation for temporary total disability, temporary
20 partial disability, and total permanent disability, with respect to injuries
21 occurring on and after July 1, 1990, and before July 1, 1991, the
22 average weekly wages are considered to be (1) not more than four
23 hundred forty-one dollars (\$441) and (2) not less than seventy-five
24 dollars (\$75). However, the weekly compensation payable shall not
25 exceed the average weekly wages of the employee at the time of the
26 injury.

27 In computing compensation for temporary total disability, temporary
28 partial disability, and total permanent disability, with respect to injuries
29 occurring on and after July 1, 1991, and before July 1, 1992, the
30 average weekly wages are considered to be (1) not more than four
31 hundred ninety-two dollars (\$492) and (2) not less than seventy-five
32 dollars (\$75). However, the weekly compensation payable shall not
33 exceed the average weekly wages of the employee at the time of the
34 injury.

35 In computing compensation for temporary total disability, temporary
36 partial disability, and total permanent disability, with respect to injuries
37 occurring on and after July 1, 1992, and before July 1, 1993, the
38 average weekly wages are considered to be (1) not more than five
39 hundred forty dollars (\$540) and (2) not less than seventy-five dollars
40 (\$75). However, the weekly compensation payable shall not exceed the
41 average weekly wages of the employee at the time of the injury.

42 In computing compensation for temporary total disability, temporary



partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1993, and before July 1, 1994, the average weekly wages are considered to be (1) not more than five hundred ninety-one dollars (\$591) and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1994, and before July 1, 1997, the average weekly wages are considered to be (1) not more than six hundred forty-two dollars (\$642) and (2) not less than seventy-five dollars (\$75). However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(b) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

(1) with respect to injuries occurring on and after July 1, 1997, and before July 1, 1998:

(A) not more than six hundred seventy-two dollars (\$672); and

(B) not less than seventy-five dollars (\$75);

(2) with respect to injuries occurring on and after July 1, 1998, and before July 1, 1999:

(A) not more than seven hundred two dollars (\$702); and

(B) not less than seventy-five dollars (\$75);

(3) with respect to injuries occurring on and after July 1, 1999, and before July 1, 2000:

(A) not more than seven hundred thirty-two dollars (\$732);

and

(B) not less than seventy-five dollars (\$75); ~~and~~

(4) with respect to injuries occurring on and after July 1, 2000, **and before July 1, 2001:**

(A) not more than seven hundred sixty-two dollars (\$762); and

(B) not less than seventy-five dollars (\$75);

(5) with respect to injuries occurring on and after July 1, 2001, and before July 1, 2002:

(A) not more than eight hundred seven dollars (\$807); and

(B) not less than seventy-five dollars (\$75); and

(6) with respect to injuries occurring on and after July 1, 2002:

(A) not more than eight hundred forty dollars (\$840); and



1 **(B) not less than seventy-five dollars (\$75).**

2 However, the weekly compensation payable shall not exceed the
3 average weekly wages of the employee at the time of the injury.

4 (c) For the purpose of this section only and with respect to injuries
5 occurring on and after July 1, 1971, and prior to July 1, 1974, only, the
6 term "dependent" as used in this section shall mean persons defined as
7 presumptive dependents under section 19 of this chapter, except that
8 such dependency shall be determined as of the date of the injury to the
9 employee.

10 (d) With respect to any injury occurring on and after April 1, 1955,
11 and prior to April 1, 1957, the maximum compensation exclusive of
12 medical benefits, which shall be paid for an injury under any provisions
13 of this law or under any combination of its provisions shall not exceed
14 twelve thousand five hundred dollars (\$12,500) in any case. With
15 respect to any injury occurring on and after April 1, 1957 and prior to
16 April 1, 1963, the maximum compensation exclusive of medical
17 benefits, which shall be paid for an injury under any provision of this
18 law or under any combination of its provisions shall not exceed fifteen
19 thousand dollars (\$15,000) in any case. With respect to any injury
20 occurring on and after April 1, 1963, and prior to April 1, 1965, the
21 maximum compensation exclusive of medical benefits, which shall be
22 paid for an injury under any provision of this law or under any
23 combination of its provisions shall not exceed sixteen thousand five
24 hundred dollars (\$16,500) in any case. With respect to any injury
25 occurring on and after April 1, 1965, and prior to April 1, 1967, the
26 maximum compensation exclusive of medical benefits which shall be
27 paid for any injury under any provision of this law or any combination
28 of provisions shall not exceed twenty thousand dollars (\$20,000) in any
29 case. With respect to any injury occurring on and after April 1, 1967,
30 and prior to July 1, 1971, the maximum compensation exclusive of
31 medical benefits which shall be paid for an injury under any provision
32 of this law or any combination of provisions shall not exceed
33 twenty-five thousand dollars (\$25,000) in any case. With respect to any
34 injury occurring on and after July 1, 1971, and prior to July 1, 1974, the
35 maximum compensation exclusive of medical benefits which shall be
36 paid for any injury under any provision of this law or any combination
37 of provisions shall not exceed thirty thousand dollars (\$30,000) in any
38 case. With respect to any injury occurring on and after July 1, 1974,
39 and before July 1, 1976, the maximum compensation exclusive of
40 medical benefits which shall be paid for an injury under any provision
41 of this law or any combination of provisions shall not exceed forty-five
42 thousand dollars (\$45,000) in any case. With respect to an injury

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occurring on and after July 1, 1976, and before July 1, 1977, the
 maximum compensation, exclusive of medical benefits, which shall be
 paid for any injury under any provision of this law or any combination
 of provisions shall not exceed fifty-two thousand dollars (\$52,000) in
 any case. With respect to any injury occurring on and after July 1,
 1977, and before July 1, 1979, the maximum compensation, exclusive
 of medical benefits, which may be paid for an injury under any
 provision of this law or any combination of provisions may not exceed
 sixty thousand dollars (\$60,000) in any case. With respect to any injury
 occurring on and after July 1, 1979, and before July 1, 1980, the
 maximum compensation, exclusive of medical benefits, which may be
 paid for an injury under any provisions of this law or any combination
 of provisions may not exceed sixty-five thousand dollars (\$65,000) in
 any case. With respect to any injury occurring on and after July 1,
 1980, and before July 1, 1983, the maximum compensation, exclusive
 of medical benefits, which may be paid for an injury under any
 provisions of this law or any combination of provisions may not exceed
 seventy thousand dollars (\$70,000) in any case. With respect to any
 injury occurring on and after July 1, 1983, and before July 1, 1984, the
 maximum compensation, exclusive of medical benefits, which may be
 paid for an injury under any provisions of this law or any combination
 of provisions may not exceed seventy-eight thousand dollars (\$78,000)
 in any case. With respect to any injury occurring on and after July 1,
 1984, and before July 1, 1985, the maximum compensation, exclusive
 of medical benefits, which may be paid for an injury under any
 provisions of this law or any combination of provisions may not exceed
 eighty-three thousand dollars (\$83,000) in any case. With respect to
 any injury occurring on and after July 1, 1985, and before July 1, 1986,
 the maximum compensation, exclusive of medical benefits, which may
 be paid for an injury under any provisions of this law or any
 combination of provisions may not exceed eighty-nine thousand dollars
 (\$89,000) in any case. With respect to any injury occurring on and after
 July 1, 1986, and before July 1, 1988, the maximum compensation,
 exclusive of medical benefits, which may be paid for an injury under
 any provisions of this law or any combination of provisions may not
 exceed ninety-five thousand dollars (\$95,000) in any case. With respect
 to any injury occurring on and after July 1, 1988, and before July 1,
 1989, the maximum compensation, exclusive of medical benefits,
 which may be paid for an injury under any provisions of this law or any
 combination of provisions may not exceed one hundred twenty-eight
 thousand dollars (\$128,000) in any case.

With respect to any injury occurring on and after July 1, 1989, and



1 before July 1, 1990, the maximum compensation, exclusive of medical
 2 benefits, which may be paid for an injury under any provisions of this
 3 law or any combination of provisions may not exceed one hundred
 4 thirty-seven thousand dollars (\$137,000) in any case.

5 With respect to any injury occurring on and after July 1, 1990, and
 6 before July 1, 1991, the maximum compensation, exclusive of medical
 7 benefits, which may be paid for an injury under any provisions of this
 8 law or any combination of provisions may not exceed one hundred
 9 forty-seven thousand dollars (\$147,000) in any case.

10 With respect to any injury occurring on and after July 1, 1991, and
 11 before July 1, 1992, the maximum compensation, exclusive of medical
 12 benefits, that may be paid for an injury under any provisions of this law
 13 or any combination of provisions may not exceed one hundred
 14 sixty-four thousand dollars (\$164,000) in any case.

15 With respect to any injury occurring on and after July 1, 1992, and
 16 before July 1, 1993, the maximum compensation, exclusive of medical
 17 benefits, that may be paid for an injury under any provisions of this law
 18 or any combination of provisions may not exceed one hundred eighty
 19 thousand dollars (\$180,000) in any case.

20 With respect to any injury occurring on and after July 1, 1993, and
 21 before July 1, 1994, the maximum compensation, exclusive of medical
 22 benefits, that may be paid for an injury under any provisions of this law
 23 or any combination of provisions may not exceed one hundred
 24 ninety-seven thousand dollars (\$197,000) in any case.

25 With respect to any injury occurring on and after July 1, 1994, and
 26 before July 1, 1997, the maximum compensation, exclusive of medical
 27 benefits, which may be paid for an injury under any provisions of this
 28 law or any combination of provisions may not exceed two hundred
 29 fourteen thousand dollars (\$214,000) in any case.

30 (e) The maximum compensation, exclusive of medical benefits, that
 31 may be paid for an injury under any provision of this law or any
 32 combination of provisions may not exceed the following amounts in
 33 any case:

34 (1) With respect to an injury occurring on and after July 1, 1997,
 35 and before July 1, 1998, two hundred twenty-four thousand
 36 dollars (\$224,000).

37 (2) With respect to an injury occurring on and after July 1, 1998,
 38 and before July 1, 1999, two hundred thirty-four thousand dollars
 39 (\$234,000).

40 (3) With respect to an injury occurring on and after July 1, 1999,
 41 and before July 1, 2000, two hundred forty-four thousand dollars
 42 (\$244,000).



- 1 (4) With respect to an injury occurring on and after July 1, 2000,
2 **and before July 1, 2001**, two hundred fifty-four thousand dollars
3 (\$254,000).
4 **(5) With respect to an injury occurring on and after July 1,**
5 **2001, and before July 1, 2002, two hundred sixty-nine**
6 **thousand dollars (\$269,000).**
7 **(6) With respect to an injury occurring on and after July 1,**
8 **2002, two hundred eighty thousand dollars (\$280,000).**

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